

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/017,694	CHEN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Donald L. Storm	2654	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to AMENDMENT AFTER FINAL ACTION filed October 7, 2005.
2. ☒ The allowed claim(s) is/are 10,12-14,16,19-25,101 and 102.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to the Applicant, an amendment may be filed as provided by 37 CFR § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Mr. Kyle B. Rinehart, Attorney of Record, on November 9, 2005.

The application has been amended as follows:

#### IN THE CLAIMS:

In claim 10, line beginning *computing a quality measure*, after "measure" insert --for the quantized block --.

In claim 10, line beginning *computing a bit-count measure*, after "measure" insert --for the entropy encoded block--.

In claim 10, line beginning *computing a bit-count measure*, before "block of" insert --quantized--.

In claim 10, line beginning *comparing the quality measure*, before "block" insert --quantized--.

In claim 10, line beginning *comparing the bit-count measure*, before "block" insert --entropy encoded--.

In claim 13, line 1, after "the quality target" insert --is for the quantized block--.

In claim 13, line 1, after "the minimum-bits target" insert --is for the entropy encoded block--.

In claim 13, line 2, change "are for the block" to --is for the entropy encoded block--.

#### *Examiner-Initiated Interview Summary*

2. By telephone on November 2, 2005, the Examiner proposed an examiner's amendment to resolve potentially unclear antecedent basis in amended claims 10 and 13 to Mr. Kyle B. Rinehart,

Attorney of Record. Mr. Rinehart proposed different language for the amendment. The Examiner deferred a decision pending review of the application as filed for support for the different language.

By telephone on November 9, 2005, the Examiner proposed to Mr. Rinehart that the specification as filed supported the different language at least at pp. 35-36, 38, and 42. The Examiner will enter an examiner's amendment as authorized by Mr. Rinehart.

It is not necessary for applicant to provide a separate record of the substance of the interview since the interview directly resulted in the allowance of the application.

***Allowable Subject Matter***

3. Claims 10, 12-14, 16, 19-25, and 101-102 are allowed. The claims have been renumbered for printing to be claims 3, 4-6, 7, 8-14, and 1-2.

***Response to Arguments***

4. The prior Office action, mailed August 29, 2005, objects to the claims and rejects claims under 35 USC § 102 and § 103. The Applicant's arguments and changes in AMENDMENT AFTER FINAL ACTION, filed October 7, 2005, have been fully considered with the following results.

5. With respect to objection to the claims dependent upon rejected base claims, the claims have been canceled or the base claims have been allowed. Accordingly, the objections are removed.

6. With respect to rejection of claims under 35 USC § 102 and § 103, some claims have been cancelled, thereby rendering the rejections moot, or the changes entered by amendment include subject matter previously indicated as allowable in the independent claims. The whole structure

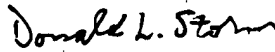
and interaction expressed by the combination of all limitations is not made obvious compared to the prior art of record for the whole invention of the independent claims. Accordingly, the rejections are removed.

**Conclusion**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald L. Storm, of Art Unit 2654, whose telephone number is (571) 272-7614. The examiner can normally be reached on weekdays between 8:00 AM and 4:30 PM Eastern Time. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Inquiries regarding the status of submissions relating to an application or questions on the Private PAIR system should be directed to the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at: [ebc@uspto.gov](mailto:ebc@uspto.gov). For general information about the PAIR system, see <http://pair-direct.uspto.gov>.

November 10, 2005

  
Donald L. Storm  
Examiner  
Art Unit 2654